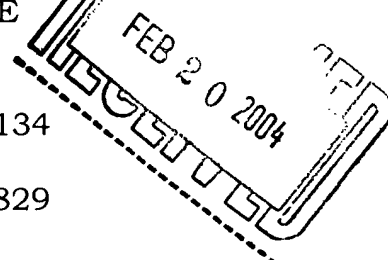


IN THE U.S. PATENT AND TRADEMARK OFFICE

PATENT  
1794-0148P



APPLICANTS: Kanna AOKI et al. CONF.: 6134  
APPLN. NO.: 10/058,337 GROUP: 2829  
FILED: January 30, 2002 EXAMINER: PERT, Evan T.  
FOR: THREE-DIMENSIONAL PHOTONIC CRYSTAL AND  
PROCESS FOR PRODUCTION THEREOF AS WELL AS  
PROBE USED THEREFOR

**AMENDMENT UNDER 37 C.F.R. § 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

February 10, 2004

Sir:

In response to the Examiner's Office Action dated September 10, 2003, the period for response having been extended two (2) months to expire on February 10, 2004, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

The present Amendment includes an amended claim set and remarks.

02/13/2004 BABRAHA1 00000068 10058337

01 FC:1252

420.00 DP

RECEIVED  
FEB 20 2004  
Evan T.

A circular black ink stamp from the Office of Intellectual Property (OIPE). The text "OIPE JC177" is curved along the top inner edge. The date "FEB 10 2004" is stamped in the center. The text "PATENT &amp; TRADEMARK OFFICE" is curved along the bottom inner edge. The letters "OP" are visible at the bottom right of the stamp.

LARGE ENTITY TRANSMITTAL FORM

February 10, 2004

Transmitted herewith is an amendment in the above-identified application.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

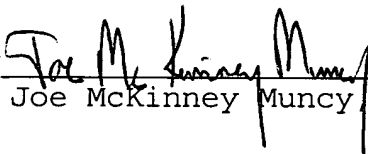
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	38	-	38	=	0	\$ 18	\$0.00
INDEPENDENT	6	-	6	=	0	\$ 86	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$290	\$0.00
						TOTAL	\$0.00

- ☒ Petition for two (2) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$420.00 for the extension of time.
- ☐ No fee is required.
- ☒ Check(s) in the amount of \$420.00 is(are) enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joe McKinney Muncy #32,334

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

 KM/RFG/gf  
1794-0148P

Attachment(s)

(Rev. 09/30/03)